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GOVERNMENT OF KERALA

കേരള ഗസറ്റ്
KERALA GAZETTE

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
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Part I(A)

Election

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GOVERNMENT OF KERALA
2025

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GOVERNMENT OF KERALA

Election (General) Department

NOTIFICATION

No. EL1/64/2022-ELEC. *Dated, Thiruvananthapuram, 18th September, 2025.*

The Election Commission of India's Order No. 76/KL-LA/2021/CEMS-II/Pt.-II dated 9th September, 2025 is hereby published.

By order,

DR. RATHAN U. KELKAR, IAS,
Chief Electoral Officer and Secretary.

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भारत निर्वाचन आयोग
ELECTION COMMISSION OF INDIA

निर्वाचन सदन, अशोक रोड, नई दिल्ली-110001 Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 76/KL-LA/2021/CEMS-II/Pt.-II **Dated:** 9th September, 2025 / 18 Bhadarapad, 1947 (Saka)

ORDER

WHEREAS, the General Election to Legislative Assembly, 2021 for **93-Pala** Assembly Constituency of Kerala was held in pursuance of the Election Commission of India Notification No. 464/KL-LA/2021, dated 12th March, 2021; and

WHEREAS, as per the Section 78 of the Representation of the People Act, 1951, every contesting candidate at an election shall, within 30 days from the date of election of the returned candidate, lodge with the District Election Officer an account of his election expenses which shall be a true copy of the account kept by him or his election agent under Section 77 of the said act; and

WHEREAS, the result of the election for **93-Pala** Assembly Constituency was declared by the Returning Officer on 02nd May, 2021 and hence the last date for lodging the account of Election Expenses was 01st June, 2021; and

WHEREAS, the Commission having regard to the then prevailing pandemic situation of Covid-19, decided to condone any incidence of late submission of the account by candidate till 31st July, 2021; and

WHEREAS, as per the report of the District Election Officer, **Kottayam,** under sub-rule (1) of Rule 89 of the Conduct of Elections Rules, 1961, received through the Chief Electoral Officer, Kerala vide his letter no. EL1/2/2021-ELEC; dated 02.11.2022 stating that **Sh. Albin Mathew**, a contesting candidate from **93-Pala** Assembly Constituency of Kerala in General Election to the Legislative Assembly, 2021 has failed to lodge his account of election expenses, as required under law; and

WHEREAS, on basis of the said report of the District Election Officer, **Kottayam** a 'Show Cause Notice' No. 76/KL-LA/93/2021/CEMS-II, dated 09th February, 2023 was issued under sub rule (5) of Rule 89 of the Conduct of Elections Rules, 1961 by the Election Commission of India to **Sh. Albin Mathew**, for not lodging the account of Election Expenses; and

WHEREAS, through the above said 'Show Cause Notice' and under sub rule (6) of Rule 89 of the Conduct of Elections Rules, 1961, **Sh. Albin Mathew** was directed to submit a representation in writing to the Commission explaining the reasons for not lodging the account and also to lodge account of election expenses with the District Election Officer, **Kottayam** within 20 days from the date of receipt of the notice; and

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WHEREAS, the Chief Electoral Officer, Kerala in his reports vide no. ELl/2/2021-ELEC; dated 03.11.2023 has reported that the said 'Show Cause Notice' was served to the candidate **Sh. Albin Mathew** on **18.03.2023;** and

WHERF.AS, the District Election Officer, **Kottayam** in his Supplementary Report dated 29.07.2025 as forwarded by the Chief Electoral Officer, Kerala vide his letter no. ELl/2/2021-ELEC; dated 30.07.2025 on account of the candidate, has reported that **Sh. Albin Mathew** has not submitted any representation or statement of correct account of election expenses. Besides, after receipt of the said notice, **Sh. Albin Mathew** has neither furnished any reason nor explanation to the Election Commission of India, for failure to lodge the account of his election expenditure as prescribed under law; and

WHEREAS. Section l0A of the Representation of the People Act, 1951 provides that:-

"If the Election Commission is satisfied that a person-

(a) has failed to lodge an account of election expenses within the time and in the manner required by or under this Act, and

(b) has no good reason nr justification for the failure.

the Election Commission shall, by order published in the Official Gazette. declare him to be disqualified and any such person shall be disqualffied for a period of three years from the date of the order.";

WHEREAS, on basis of the facts and available records, the Commission is satisfied that **Sh. Albin Mathew** has failed to lodge his account of election expenses and has no good reason or justification for the failure to do so; and

NOW, THEREFORE, in pursuance of the Section I0A of the Representation of the People Act, 1951, the Election Commission of India hereby declares **Sb. Albin Mathew,** resident of - **Muringayil House Edappady P O Bharananganam Pin - 686578** and a contesting candidate from **93-Pala** Assembly Constituency of Kerala in General Election to the Legislative Assembly, 2021, to be disqualified for being chosen as and for being a member of either House of the Parliament or the Legislative Assembly or the Legislative Council of a State or Union Territory for a period of three years from the date of this order.

(Sd.)
(RAKESH KUMAR)
Secretary.

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भारत निर्वाचन आयोग
ELECTION COMMISSION OF INDIA

निर्वाचन सदन, अशोक रोड, नई दिल्ली-110001 Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 76/KL-LA/2021/CEMS-II/Pt.-II **Dated:** 9th September, 2025 / 18 Bhadarapad, 1947 (Saka)

ORDER

WHEREAS, the General Election to Legislative Assembly, 2021 for **101-Poonjar** Assembly Constituency of Kerala was held in pursuance of the Election Commission of India Notification No. 464/KL-LA/2021, dated 12th March, 2021; and

WHEREAS, as per the Section 78 of the Representation of the People Act, 1951, every contesting candidate at an election shall, within 30 days from the date of election of the returned candidate, lodge with the District Election Officer an account of his election expenses which shall be a true copy of the account kept by him or his election agent under Section 77 of the said act; and

WHEREAS, the result of the election for **101-Poonjar** Assembly Constituency was declared by the Returning Officer on 02nd May, 2021 and hence the last date for lodging the account of Election Expenses was 01st June, 2021; and

WHEREAS, the Commission having regard to the then prevailing pandemic situation of Covid-19, decided to condone any incidence of late submission of the account by candidate till 31st July, 2021; and

WHEREAS, as per the report of the District Election Officer, **Kottayam**, under sub-rule (1) of Rule 89 of the Conduct of Elections Rules, 1961, received through the Chief Electoral Officer, Kerala vide his letter no. EL1/2/2021-ELEC; dated 24.08.2021 stating that **Sh. Albin Mathew**, a contesting candidate from **101-Poonjar** Assembly Constituency of Kerala in General Election to the Legislative Assembly, 2021 has failed to lodge his account of election expenses, as required under law; and

WHEREAS, on basis of the said report of the District Election Officer, **Kottayam** a 'Show Cause Notice' No. 76/KL-LA/2021/CEMS-II, dated 06th October, 2021 was issued under sub rule (5) of Rule 89 of the Conduct of Elections Rules, 1961 by the Election Commission of India to **Sh. Albin Mathew**, for not lodging the account of Election Expenses; and

WHEREAS, through the above said 'Show Cause Notice' and under sub rule (6) of Rule 89 of the Conduct of Elections Rules, 1961, **Sh. Albin Mathew** was directed to submit a representation in writing to the Commission explaining the reasons for not lodging the account and also to lodge account of election expenses with the District Election Officer, **Kottayam** within 20 days from the date of receipt of the notice; and

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WHEREAS, the Chief Electoral Officer, Kerala, vide his report no. EL1/2/2021-ELEC dated 30.07.2025, has forwarded the Commission the original certified copy of the notice, served to the aforesaid candidate, as certified by the District Election Officer, Kottayam;

WHEREAS, the District Election Officer, **Kottayam** in his Supplementary Report dated 29.07.2025 as forwarded by the Chief Electoral Officer, Kerala vide his letter no. EL1/2/2021-ELEC; dated 30.07.2025 on account of the candidate, has reported that **Sh. Albin Mathew** has not submitted any representation or statement of correct account of election expenses. Besides, after receipt of the said notice, **Sh. Albin Mathew** has neither furnished any reason nor explanation to the Election Commission of India, for failure to lodge the account of his election expenditure as prescribed under law; and

WHEREAS, Section 10A of the Representation of the People Act, 1951 provides that:-

"If the Election Commission is satisfied that a person-

(a) has failed to lodge an account of election expenses within the time and in the manner required by or under this Act, and

(b) has no good reason or justification for the failure,

the Election Commission shall, by order published in the Official Gazette, declare him to be disqualified and any such person shall be disqualified for a period of three years from the date of the order.";

WHEREAS, on basis of the facts and available records, the Commission is satisfied that **Sh. Albin Mathew** has failed to lodge his account of election expenses and has no good reason or justification for the failure to do so; and

NOW, THEREFORE, in pursuance of the Section 10A of the Representation of the People Act, 1951, the Election Commission of India hereby declares **Sh. Albin Mathew**, resident of – **Muringayil House Edappady P O Bharananganam Pin – 686578** and a contesting candidate from **101-Poonjar** Assembly Constituency of Kerala in General Election to the Legislative Assembly, 2021, to be disqualified for being chosen as and for being a member of either House of the Parliament or the Legislative Assembly or the Legislative Council of a State or Union Territory for a period of three years from the date of this order.

(Sd.)
(RAKESH KUMAR)
Secretary.

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